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Our File No.: 827.16116

Attorneys for Defendant Delvepoint, LLC

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ATLAS DATA PRIVACY CORPORATION,	:	
as assignee of individuals who are Covered	:	Civil Action No. 24-4096
Persons, JANE DOE-1, a law enforcement	:	
officer, JANE DOE-2, a law enforcement	:	NOTICE OF REMOVAL
officer, EDWIN MALDONADO, SCOTT	:	
MALONEY, JUSTYNA MALONEY,	:	
PATRICK COLLIGAN, PETER	:	
ANDREYEV, and WILLIAM SULLIVAN	:	
	:	
PLAINTIFFS,	:	
	:	
vs.	:	
	:	
DELVEPOINT, LLC, RICHARD ROES 1-10;	:	
fictitious names of unknown individuals and	:	
and ABC COMPANIES 1-10, fictitious names	:	
of unknown entitites,	:	
	:	
DEFENDANTS.	:	

TO: THE HONORABLE JUDGES OF THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

Rajiv D. Parikh, Esq.
Kathleen Barnett Einhorn, Esq.
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Attorneys for Plaintiff Atlas Data Privacy Corporation

PLEASE TAKE NOTICE, that on this date, the defendant, DELVEPOINT, LLC is subject to all defenses including Rule 12 defenses, files this Notice of Removal of this civil action from the Superior Court, Morris County, to the United States District Court, District of New Jersey pursuant to 28 U.S.C.A. §1332 and §1446(a), in the office of the Clerk of this Court.

The petitioner, DELVEPOINT, LLC is a defendant in the above-entitled action and, by its attorneys WADE CLARK MULCAHY LLP, respectfully shows this Court:

1. This action was commenced in Superior Court, Morris County, by filing of plaintiffs' complaint. A copy of the complaint is annexed hereto as **Exhibit A**.

2. The petitioner first received notice of plaintiffs' summons and complaint on February 26, 2024, when process was served on Delvepoint, LLC. **See Exhibit B**.

3. In the complaint, plaintiffs allege that they have suffered damages due to an alleged disclosure of protected information by defendant. Upon information and belief, the amount in controversy exceeds \$75,000 exclusive of interest and cost.¹ **See Exhibit A**.

4. Upon information and belief, plaintiff EDWIN MALDONADO resides in Plainfield, New Jersey. Plaintiffs SCOTT and JUSTYNA MALONEY reside in Rahway, New Jersey. Plaintiff PATRICK COLLIGAN works in Somerset, New Jersey. Plaintiff PETER ANDREYEV works in Point Pleasant, New Jersey. Plaintiff WILLIAM SULLIVAN works for the Department of Corrections in New Jersey.

5. Defendant Delvepoint, LLC is a corporation organized pursuant to the laws of the State of Florida with its principal place of business in the State of Florida. Owner UDT Group,

¹ The parties acknowledge that the amount in controversy, as alleged in the complaint, exceeds \$75,000 for the purposes of conferring diversity jurisdiction. However, this acknowledgement should not be construed as an admission that plaintiff's damages actually exceed \$75,000, and defendant expressly reserves the right to dispute and disprove the entirety of the plaintiff's alleged damages.

LLC has a principal place of business in the State of Florida. Owner John A. Del Vecchio is a citizen of the State of Florida.

6. There are no other defendants whose consent is required for this removal.

7. Upon information and belief, the fictitious defendants named in the complaint as RICHARD ROES 1-10 and A.B.C. COMPANIES 1-10 are fictitious and have never been served or identified by the plaintiff. Plaintiff makes no allegations from which their actual identity or existence can be determined.

8. This Notice of Removal is filed in accordance with 28 U.S.C. §1446(b) as it was filed within thirty (30) days of the defendant Delvepoint LLC's receipt of plaintiffs' complaint.

9. This Court has original jurisdiction over this action pursuant to 28 U.S.C. §1332, and this action may be removed to this Court pursuant to 28 U.S.C. §1441 because this action is between citizens of different states and the amount in controversy alleged by plaintiffs, upon information and belief, exceeds \$75,000 exclusive of interest and costs.

10. This Court also has jurisdiction over this action pursuant to U.S. Const. Amend. I and U.S. Const. Amend. XIV as this constitutes a genuine issue of law that should be adjudicated within a U.S. federal court because it constitutes a federal question.

WHEREFORE, petitioner prays that the instant action now pending before the New Jersey Superior Court, Morris County, be removed to the United States District Court for the District of New Jersey, and for such other and further relief as this court deems just and proper.

Dated: Springfield, New Jersey
March 18, 2024

WADE CLARK MULCAHY LLP

/s/ Robert Cosgrove
BY: _____
Robert J. Cosgrove, Esq.

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Attorneys for Defendant
Delvepoint, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **DEFENDANT DELVEPOINT, LLC's**
NOTICE OF REMOVAL was mailed by first class mail, postage prepaid, as well as by e-mail,
on this ** upon:

James R. Korn, Esq.
Schiller, Pittenger & Galvin, P.C.
1771 Front Street
Scotch Plains, NJ 07076
Attorneys for Plaintiffs

I certify that the foregoing statements made by me are true. I am aware that if any of the
foregoing statements made by me are willfully false, I am subject to punishment.

WADE CLARK MULCAHY, LLP

By: /s/ Robert Cosgrove
Robert J. Cosgrove